

Ordinance No. 4.

An ordinance relating to Nuisances and Obstructions.

The Board of Trustees of the City of Lodi do ordain as follows:

Nuisances. Section 1.- Any person who shall do any act or cause or suffer or create anything within the corporate limits of the city which is injurious to public health, or which prevents or obstructs the free and comfortable enjoyment of lives and property or is dangerous to surrounding property, is guilty of a misdemeanor. In addition to the penalty provided by law or the ordinances of this town against any person guilty of a nuisance and whether such penalty is enforced or not, such nuisance may be abated by the Marshal upon the order of the Board of Trustees so to do at the expense of the person maintaining the same.

Filth and Rubbish. Section 2.- It shall be unlawful for any person to throw into or deposit upon any public street, highway or grounds, or in any gutter or ditch or upon any private premises, or anywhere except in such places as may be designated for such purposes by the Marshal, any glass, broken ware, dirt, rubbish, garbage, or filth, nor shall any rubbish, garbage, or filth, be allowed to remain upon any private premises.

Any dirt, rubbish, soot, ashes, cinders, and filth of every kind in any house, cellar, yard, or other place which the Marshal or Health Officer shall for the health of the town deem necessary to be removed, shall be carried away therefrom by and at the expense of the owner or occupant of such house or any place, where the same may be found and removed beyond the corporate limits or to such place as may be designated by the Marshal.

Depositing Filthy Water Section 3.- It shall be unlawful for any owner, occupant or lessee of any building, lot or ground, to throw, empty out or deposit or cause or permit to allow the same to be done by any employee, lessee or occupant or other person, at any time in any gutter or ditch or drain or near any inhabi-

ted place the suds or filthy water resulting from the washing of clothing, slaps from kitchen, garbage, debris, offal or other foul or filthy water, or to allow suds, filthy water, garbage, or other filthy matter or water, to stand on his own premises or to seep into or flow upon premises adjoining.

Gutters to  
be kept  
clean.

Section 4.- It shall be the duty of every owner, occupant or lessee of any property in thhs city to keep the gutter in front of such property at all times clean and free from all obstructions, to the free passage of water, and to remove or cause to be removed all dirt, filth, or rubbish, that may have accumulated on the street or alley in front of said property to the middle of the street or alley.

Receptacle for slops.

Section 5.- Each and every owner, occupant, lessee of any house, store, restaurant, or other building in the city shall provide a proper receptacle for all slops, ofal, garbage, or other offensive matter coming from such house, store, restaurant or other building, and remove or cause the same to be removed within a reasonable time after being placed in such receptacle and before it shall have become offensive to others.

Foul Drains,  
etc.

Section 6.- No person shall permit or suffer any premises belonging to or occupied by him, or any cellar, pool, sewer, or private drain thereon or therein to become nauseous, foul or offensive, prejudicial to public health or comfort.

Officer's  
Duties.

Section 7.- It shall be the duty of the Health Officer and Marshal, or either thereof upon receiving notice of any violation of the provisions of the foregoing sections of this <sup>Ordinance</sup> ~~article~~ to immediately notify the offender to abate the same within ~~such~~ such time as he or they may deem proper, not to exceed ten days.

Auctions  
without  
permit

Section 9.- No auctioneer, his agent or clerk, shall sell or expose for sale by auction, any live stock, goods, wares or merchandise or other things of whatever nature to any person or persons whoa at the time of bidding for, or while examining same, shall be on any public street or sidewalk of this city, without first having obtained a permit so to sell or expose for sale at such place from the Marshal.

Trees to be  
trimmed a  
certain  
height.

Section 10.- It shall be unlawful for the owner or occupant of any premises in front of or adjacent to which any tree standing or growing in or on any public street or way, to fail or neglect to keep such trees so trimmed that no branch thereof where more than two feet horizontally from the butt of the tree, shall be less than eight feet above the official present grade of such street or way.

Water Pipes  
and  
Conductors.

Section 11.- All pipes conducting water from the roofs of buildings shall be brought down to the level of the street or pavement and empty into a conductor so as to carry out the water into the gutter in the most direct manner.

Washing  
Wagons on  
Sidewalks.

Section 12.- It shall be unlawful for any person or persons to wash any wagon, carriage, or other vehicle, or any horse or any other animal upon any sidewalk or cross walk in the-city.

Business  
Stands on  
Sidewalks.

Section 13.- No person shall place, erect or maintain any business stand or other obstruction on any portion of any street or sidewalk of this city without first having obtained permission therefor from the Board of Trustees.

of the removal of said obstruction paid to the Marshal, and the proceeds of said sale, or so much thereof as may be required, shall be appropriated to pay all expenses of the

care, removal and sale of said property, the balance, if any, to be deposited in the city treasury for the benefit of the party in interest, if properly claimed within sixty days from the time of sale. If not claimed within said period of time, said amount shall be turned into and become part of the general fund of this city.

Duty of  
Marshal.

Section 18.- It shall be the special duty of the Marshal to cause to be removed any obstruction, railway car, engine, truck, wagon or other vehicle which may be an obstruction upon any street, alley or place, used for public travel in this City, for the space of five minutes or more and said Marshal is hereby empowered to enforce the provisions of this section upon an immediate verbal notice to the person or persons causing such obstructions.

Penalty .

Section 19.- Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$200.00, or by imprisonment not exceeding 100 days, or by both said fine and imprisonment.

Section 20.- This ordinance shall be published by <sup>printing and</sup> posting the same in three public places in the City of Lodi.

Section 21.- This ordinance shall be in force and take effect immediately on approval and publication.

Section 22.- All ordinances and parts of ordinances conflicting herewith are hereby repealed.

Passed and adopted at an ~~adjoined~~ <sup>regular</sup> meeting of the Board of Trustees of the City of Lodi, *March 25th, 1907.*  
by the following vote:

Ayes:

*J. M. Blodgett, L. Vieling, F. O. Hale, C. A. Rich.*

Noes:

*None.*

Approved this *25th* day of *March*, 1907



Attest:

*J. E. Lawrence*  
President of the Board of Trustees  
Of the City of Lodi.

*J. M. Mahon*  
City Clerk.